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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,517	02/07/2002	Katsutoshi Inagaki	Q68458	7197

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EXAMINER

LIN, KENNY S

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/067,517

Applicant(s)

INAGAKI ET AL.

Examiner

Kenny Lin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-13 and 17-20 is/are rejected.
- 7) ☒ Claim(s) 5-7 and 14-16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>9/16/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-20 are presented for examination.
2. The IDS filed on September 16, 2003 has been considered by the examiner.

Allowable Subject Matter

3. Claims 5-7 and 14-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 19-20 are rejected under 35 U.S.C. 101 because the disclosed invention is inoperative and therefore lacks utility. Abstract idea and algorithms such as computer software program by itself is not operable and lack patentable utility.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-4, 8-13 and 17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Sawada, US 6,735,619.

8. As per claim 1, 8-10 and 17-20, Sawada taught the claimed invention including a network system comprising:

- a. A terminal device (col.4, lines 10-13; fig.1: computer terminal 20); and
- b. An agent module disposed between a network and the terminal device, for relaying an access from the terminal device to the network (col.4, lines 20-44, col.5, lines 7-11; figs.1: gateway apparatus 12),
- c. Wherein the agent module includes a request signal transmission section for transmitting to the terminal device a request signal requesting to establish an information transmission enabled state between the terminal device and the agent module (col.4, lines 20-44, 62-67, col.5, lines 1-50, col.10, lines 40-57), the request signal including identification information to identify the agent module (col.10, lines 40-57); and
 - i. The terminal device includes:

1. a reception section for receiving the transmitted request signal
(col.4, lines 20-44, 62-67, col.5, lines 1-50, col.10, lines 40-57
2. a first determination section for determining whether the agent
module which has transmitted the request signal is an agent
module to which the terminal device receiving the request signal is
to be connected (col.4, lines 20-44, 62-67, col.5, lines 1-50, col.10,
lines 40-57); and
3. an establishment section for establishing the information
transmission enabled state between the terminal device receiving
the request signal and the agent module which has transmitted the
request signal, when the first determination section ascertains that
the agent module which has transmitted the request signal is the
agent module to which the terminal device receiving the request
signal is to be connected (col.4, lines 20-44, 62-67, col.5, lines 1-
50, col.10, lines 40-67, col.11, lines 1-52).

9. As per claims 2 and 11, Sawada taught the invention as claimed in claims 1 and 10.

Sawada further taught that the agent module includes:

- a. An identification section for identifying whether another terminal device (col.4, lines 45-48) other than the terminal device is another authorized terminal device that is to be connected to the agent module, when the another terminal devices issues to the network a request for a connection to the terminal device to be

connected to the network through the agent module (col.4, lines 45-56, col.5, lines 16-26, col.10, lines 40-49, col.11, lines 6-67, col.12, lines 1-19);

- b. A connection section for connecting the terminal device and the another terminal device after the information transmission enabled state is established between the agent module and the terminal device (col.4, lines 45-56, col.11, lines 6-67, col.12, lines 1-19); and
- c. when the identification section ascertains that the another terminal device is the another authorized terminal device to be connected to the agent module, the request transmission section outputs the request signal to the terminal device to establish the information transmission enabled state (col.4, lines 45-56, col.11, lines 6-67, col.12, lines 1-19).

10. As per claims 3 and 12, Sawada taught the invention as claimed in claims 2 and 11.

Sawada further taught that the another terminal device is used to remotely control information processing apparatus connected to the terminal device; and when the another terminal device and the terminal device are connected by the connection section, the another terminal device performs a processing for the remote control (col.4, lines 45-56, col.11, lines 6-67, col.12, lines 1-19).

11. As per claims 4 and 13, Sawada taught the invention as claimed in claims 3 and 12.

Sawada further taught that the information processing apparatus is information recording apparatus for recording information in a recording medium; and the another terminal device

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performs the remote control to set at least a time from which the information recoding apparatus starts a process for recording the information (col.11, lines 6-67, col.12, lines 1-19; tape record TV program).

12. Claims 1-2, 8-11 and 17-20 are further rejected under 35 U.S.C. 102(a) as being anticipated by Garrison, US 6,275,939.

13. As per claims 1, 8-10 and 17-20, Garrison taught the claimed invention including a network system comprising:

- a. A terminal device (database system; col.4, lines 25-30); and
- b. An agent module disposed between a network and the terminal device, for relaying an access from the terminal device to the network (server 17a; fig.1, col.4, lines 25-30),
- c. Wherein the agent module includes a request signal transmission section for transmitting to the terminal device a request signal requesting to establish an information transmission enabled state between the terminal device and the agent module (col.2, lines 64-67, col.3, lines 1-2, col.4, lines 25-30, col.11, lines 32-44), the request signal including identification information to identify the agent module (col.2, lines 64-67, col.3, lines 1-2, col.6, lines 60-67, col.7, lines 1-21; alias password); and
 - i. The terminal device includes:

1. a reception section for receiving the transmitted request signal (col.2, lines 64-67, col.3, line 1-2, col.11, lines 32-44; receiving password and request),
2. a first determination section for determining whether the agent module which has transmitted the request signal is an agent module to which the terminal device receiving the request signal is to be connected (col.2, lines 64-67, col.3, lines 1-2, col.6, lines 60-67, col.7, lines 1-21, col.8, lines 14-24, col.11, lines 32-44); and
3. an establishment section for establishing the information transmission enabled state between the terminal device receiving the request signal and the agent module which has transmitted the request signal, when the first determination section ascertains that the agent module which has transmitted the request signal is the agent module to which the terminal device receiving the request signal is to be connected (col.2, lines 64-67, col.3, lines 1-2, col.6, lines 60-67, col.7, lines 1-21, col.8, lines 14-24, col.11, lines 32-44).

14. As per claims 2 and 11, Garrison taught the invention as claimed in claims 1 and 10.

Garrison further taught that the agent module includes:

- a. An identification section for identifying whether another terminal device (client) other than the terminal device is another authorized terminal device that is to be

- connected to the agent module, when the another terminal devices issues to the network a request for a connection to the terminal device to be connected to the network through the agent module (col.2, lines 64-67, col.3, lines 1-2, col.4, lines 6-7, 25-30, col.10, lines 5-50, 54-67, col.11, lines 1-6);
- b. A connection section for connecting the terminal device and the another terminal device after the information transmission enabled state is established between the agent module and the terminal device (col.10, lines 5-50, 54-61, col.11, lines 32-44); and
- c. when the identification section ascertains that the another terminal device is the another authorized terminal device to be connected to the agent module, the request transmission section outputs the request signal to the terminal device to establish the information transmission enabled state (col.2, lines 64-67, col.3, lines 1-2, col.4, lines 6-7, 25-30, col.10, lines 5-50, 54-67, col.11, lines 1-6, 32-44).

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Saito et al, US 6,523,696.

Humpleman et al, US 6,288,716.

Gupta, US 6,757,733.

Lincke et al, US 6,397,259.

Philyaw et al, US 6,098,106.

Leong et al, US 6,393,475.

Gallant et al, US 6,636,596.

Prokop, US 6,870,848.

Coile et al, US 6,894,981.

Hunt et al, US 6,253,234.

Huang, US 6,370,576.

Fuh et al, US 6,609,154.

Broomhall et al, US 6,292,904.

16. A shortened statutory period for reply to this Office action is set to expire **THREE MONTHS** from the mailing date of this action.


17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (571) 272-3968. The examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksl
May 24, 2005


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